IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION No. 1979 OF 2003

PETITIONER

Gopiram Agrawal, aged about 75 years, Proprietor Durga Oil Mill, S/o Late Shri Durga Prasad Agrawal, resident of Thana Road, District Raigarh (Chhattisgarh)

Versus

RESPONDENT

1. State of Chhattisgarh through the Collector, District Raigarh (Chhattisgarh)

2. The Rent Controlling Authority, Raigarh, District Raigarh (Chhattisgarh)

3. Smt. Saraswati Devi, widow of Madho Prasad, resident of Sadar Bazar, Raigarh, District Raigarh (Chhattisgarh)

P. R. No. 1619/03
Presented by Shri S. Pandey
dated 6.11.03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(45)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1979 / 07 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	16-7-2003 Shri Prashant Mishra, counsel for the petitioner. Counsel for the petitioner submits that the petitioner is a tenant in the non-residential premises go-down belonging to the respondent No.3 and two other owners namely Mahesh Kumar and Kusum Devi. Respondent No.3 moved an application for eviction under Section 23-A of the Chhattisgarh Accommodation Control Act for eviction of two shops which was in possession of Harishchand, but the authority has passed eviction decree regarding petitioner's go-down also vide order dated 2-1-2003. The present petitioner was not party to that eviction petition, even then the learned R.C.A., Raigarh has passed an order of eviction against the petitioner from the go-down. The go-down was not subject matter in that petition. When the question was raised to the learned counsel for the petitioner that if the order was passed against the petitioner in a case in which the go-down was not a subject matter of the petition that too without making petitioner as a party to that litigation, then he can approach the concerned Tribunal for recalling the earlier eviction order or he can approach the Civil Court.	

(46)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1929/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	The learned counsel for the petitioner submits that the petitioner may be allowed to withdraw the petition for moving an application before the appropriate Court with liberty to file fresh writ petition, if the occasion so arises. Accordingly, the petition is dismissed as withdrawn with liberty aforesaid. Sd/- L.C.BHADOO Judge	

Barnel

[पीछे देखिये